

St. Louis County
E. St. Louis/A.C.F. Ind.
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EPA Region 5 Records Ctr.



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E.P.A. — D.L.P.C.
STATE OF ILLINOIS

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Richard Hyink, Plant Manager
ACF Industries - Shippers Car
Line Division
100 Trendly
East St. Louis, Illinois 62201

RE: ACF Industries - Shippers Car
Line Division
East St. Louis, Illinois IL0006273877

Dear Mr. Hyink:

Notice is hereby given that the United States Environmental Protection Agency (U.S. EPA) has determined that the above facility is in violation of requirements of Subtitle C of the Resource Conservation and Recovery Act (RCRA) as amended. Specifically, it has been determined that ACF Industries - Shippers Car Line Division is in violation of Section 3004 of RCRA (42 USC 6924). On June 26, 1981, a representative of the Illinois Environmental Protection Agency (IEPA) inspected your facility at 100 Trendly, East St. Louis, Illinois. The report is forwarded for your information. The purpose of this inspection was to determine your facility's compliance status with RCRA.

The inspector found that hazardous wastes were being accumulated on-site for more than 90 days. He was informed that no hazardous wastes had been transported off-site due to a labor strike which began on March 5, 1981. Please be advised that our records do not show that a Part A permit application has been submitted to the Regional Administrator. The owners and operators of existing hazardous waste storage facilities must submit a Part A permit application in accordance with 40 CFR Parts 122.21(c) and 122.22 pursuant to 42 U.S.C. 6925. In a telephone conversation with you on November 9, 1981, you informed Ms. Mariann Baumgartner of my staff that the labor strike had been settled but that the hazardous waste containers were still on-site because, although you had applied to the State of Missouri for permits to dispose of these hazardous wastes, you had not received the necessary permits from Missouri. Once you receive the necessary permits you intend to ship the wastes off-site. You also indicated that your company never intended to be a storer of hazardous waste. You also informed Ms. Baumgartner of the great reduction in your work force and that in the future you may not be steam cleaning railroad cars (the source of hazardous waste generation) but may just store empty railroad cars at your company. In a subsequent telephone conversation on the same day, Linda Black, Senior Environmental Chemist at ACF Industries in St. Charles, Missouri, informed Ms. Baumgartner of the company's attempt to get necessary permits from the State of Missouri and also informed us that the five drums of creosote discovered during the inspection had been sold as a product and were no longer on your plant site. The remaining 12-13

containers of hazardous waste are still on-site. Therefore, please provide documentation to this office of your intention to remove the hazardous wastes off-site or to submit a Part A permit application within 30 days of receipt of this letter. If the hazardous wastes have not been shipped off-site and you have not submitted the Part A permit application within 30 days, you may be subject to potential civil or criminal liability. A copy of the application is enclosed and should be submitted to the Regional Administrator, U.S. Environmental Protection Agency, RCRA Activities, Region V, P.O. Box A 3587, Chicago, Illinois 60690.

In addition, when the hazardous wastes are shipped off-site, please submit completed copies of the manifest to this office.

The inspector also found that:

1. The containers of hazardous waste were not marked with the start of accumulation date. This is in violation of 40 CFR Part 262.34(a)(3).
2. Personnel training records did not include job titles, job descriptions, description of training, and records of training. This is in violation of 40 CFR Part 265.16(d)(1) through (d)(4). Facility records do not document that facility personnel received required training by May 19, 1981, or that new employees receive required training within six months. This is in violation of 40 CFR Part 265.16(b).
3. The list of all emergency equipment contained in the contingency plan did not include the location and physical description of each item on the list and a brief outline of its capabilities. This is in violation of 40 CFR Part 265.52(e). On November 9, 1981, you informed Ms. Baumgartner that you had prepared a location chart for the emergency equipment but not the other required information.
4. Copies of the contingency plan had not been submitted to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services. This is in violation of 40 CFR Part 265.53(b).

You are hereby requested to provide documentation to this office, within 15 days after receipt of this Notice of Violation, informing us of action taken to correct these violations. Please address such documentation to U.S. Environmental Protection Agency, Enforcement Division, Attention: Water & Hazardous Materials Compliance Section, 230 South Dearborn, Chicago, Illinois 60604. If you have any questions, please contact Ms. Baumgartner at (312) 353-2114.

Very truly yours,

11.

Sandra S. Gardebring
Director, Enforcement Division

Enclosures

cc: William Child, Manager, FOS
Land/Noise Pollution Control
Division
Illinois Environmental Protection
Agency

Linda Black
Senior Environmental Chemist
ACF Industries